

P E T E R T U M U L T Y, duly sworn for direct examination by Mr. Simpson?

Q Where do you live, Mr. Tumulty?

A Grand St. New Brunswick.

Q Where are you employed now? A By Mr. Henry
Carpender.

Q As what? A Gardener.

Q Chauffer too? A I do a little of it.

Q But principally as a gardener? A Yes sir.

Q When did you take up that employment with Mr. Henry
Carpender?

A Last Spring.

Q Were you ever employed at the Hall Residence? Rev.
Edward Hall, New Brunswick? A Yes sir.

Q When were you employed there? A About four or five
weeks, just before the murder happened.

Q That is you took employment just about four or five
weeks before the murder? A Yes sir.

Q What was your work? A Gardener.

Q Did you wash the cars too? A I washed one car once.

Q Which one? A The open car, the Green car.

Q How many cars were there? A Two.

Q What were they? A Dodge and Paige Paige.

Q And this Dodge, was it a Sedan? A Yes sir.

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Q When was the last time you saw ^{it} ~~it~~ on thursday the 14th of Sept. 1922?

A Thursday?

Q The day of the murder? A It was out Thursday.

Q I know, it came back again theough, when was the last time you saw it?

A I don't know whether I ssw it that evening or not.

I don't remember whether it was out of the garage or not.

Q You don't know whether it was in the garage or out of the garage? A I know it was out of the garage in the forenoon.

Q I am directing your attention to the night.

Do you know whether this car was out of the garage or not? A I don't know.

Q Were you working there at night? A No sir.

Q What time did you leave there? A About half past 5 or 6 o'clock.

Q What time did you come back? A 7 or half past 7.

Q Did you go in the garage? A No.

Q Did you go in the garage at all on Friday? A No, I don't think so.

Q You don't know whether you saw the Dodge Sedan Friday?

A Yes, I saw it was out.

Q If it was out, you didnot see itdid you?

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A It was not in the garage.

Q Can you give us any light s to whether this car was in the garage when you came to work Friday Morning?

A I don't know if it was, but it was out later in the day.

Q Did you wash the Dodge Sedan? A No.

Q Did you clean it? A No.

Q Did you see anybody else working in it?

A No.

Q You were not chauffeur there? A No sir.

Q You were simply the gardener? A Yes.

Q You do not drive the car? A No, I did not until after Mr. Hall was dead.

Q Now you drive the car, don't you? A Yes, I do.

Q What tools did you have to do your gardening, say, the week of the murder, Monday, Tuesday and Wednesday, before the Thursday of the murder - what kind of tools did you use?

A Shovels, hoe and just working in the celery, just taking off the sod, just replacing ~~in~~ the sod.

Q Did you trim the hedges? A Yes, I trimmed the privet hedge.

Q What did you trim it with? A Clippers.

Q Did you have those big clippers with the wooden handles.

A With the wooden handles.

Q You did not have small clippers? A No.

Q Wenn you came to work on Friday were any of those shears missing at all? A No sir.

Q Did you ever see the shears when you came back Friday, that you left there?

A They was always there. I got them in the shed outside.
they

Q And did you go to see if ~~there~~ were there?

A No sir.

Q When was the last time after thursday that you had ocassion to go looking for them? A I couldn't tell you that?

Q As I understand you left the Hall hause between four and five on the afternoon of Sept. 14th, is that right?

A Yes sir, five or half past five.

Q When was the first that you learned that Dr. Hall was dead? A Saturday afternoon about two or half past 2.

Q You did not drive any car on Thursday, did you?

A No sir.

Q I want to get it clear, you were not the chauffeur, you did not drive any cars at all? A No sir.

Q You were simply the gardener? A Yes sir!

Q You have had a license since 1907 to drive a car?

A Yes, 1909.

Q And yet you never used it? A Oh yes, I have used it, up until a couple of years ago I didn't drive, but

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I got a license. I got it yet.

Q But y u were not a chauffeur? A No sir.

Q Now, what became of the big, you say there was a big Case Car, an open car? A Well, the year after that was sold.

Q How long after the 14th of Sept. 1922? A I couldn't tell you?

Q Do you know who bought it? A No, I did no.

Q And did you wash the big car? A I think it was, on Thursday.

Q Now, at the time you washed the big car, that is the Thursday, the day that they were killed you mean?

A Yes sir.

Q You washed this big car, where was the Dodge Sedan when you washed the big car?

A It was out.

Q You don't know who was driving it? A Both was in it, Mr. Hall and Mrs. Hall.

Q They both could drive and you have seen them both drive it? A Yes sir.

Q On the day after you washed the big car did you see the Dodge Sedan standing in front of the Mills Home?

A Mills home? No.

Q You did not see that? A No.

Q How long did you continue in the employ of this family

that you were working for at the time of the murder, the Hall family, after the murder?

A Mrs. Hall?

Q Yes. A Two or three years.

Q That is you worked two and one half years after the murder?

A Yes sir.

Q Were you working in the house when the family went to sail to Italy? A Yes sir, I was there.

Q You still stayed there? A Yes sir.

Q Did you see any man named Di Martini living in the house after the murder?

A Yes sir.

Q How soon after the murder did he come to live in the house?

A I couldn't tell you on that?

Q Well was it a week after the murder? A I guess it was, or more.

Q How long did he live in the house? A I don't know, he was there only a few times.

Q Well, did you sleep there? A I did not.

Q Did he sleep there? A I don't know.

Q You did not sleep there? A No sir.

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Q Now as I understand you, you left the Hall place the afternoon of the murder, between four and five, Sept. 14th, 1922, and you did not return until half past seven the next morning? A Yes sir.

Q You can't tell us whether the Dodge Sedan was in or out that night?

A No sir.

CROSS EXAMINATION BY MR. PFEIFFER:

Q Now, Peter, Senator Simpson has asked you about some garden implements which you used in trimming hedges, etc., for Mrs. Hall. Do you recall how many garden implements you had, speaking of the time four years ago, just before the murder?

A Almost anything you would use in a garden.

Q I mean in the ~~xxx~~ way of shears or clippers or anything?

A Yes, we had three pair large clippers for trimming the hedge, small ones to trim trees with, and other pruning shears, spade and things of that kind.

Q And to your knowledge has Mrs. Hall still any of those instruments? A Yes.

Q Now which two has she got, if she hasn't got them all?

A She has got the large clippers for the hedge, and the clipper for trimming the ~~xxx~~ grass edge.

Q What became of the third instrument? A That broke.

I broke that.

Q You are now working for Mr. Henry Carpender? A I am.

Q Trimming his hedges etc? A Yes sir.

Q Has Mr. Henry Carpender got a clipper similar to the
c ipper which Mrs. Hall had which you broke? A Yes.

Q I show you a clipper and ask if it is the property of
Mr. Henry Carpender?

A Yes sir, it is.

Q And is that a clipper substantially similar to the one
which belonged to Mrs. Hall four years ago, and which you
stated that you broke?

A Yes sir.

Q MM. PFEIFFER: Do you want to look at it? Senator?
(Senator Simpson examines object)

REDIRECT EXAMINATION BY MR. SIMPSON:

Q That is the grass clipper is it? A No sir, pruning.

Q What did you do with the one you broke?

A That is gone now, quite a while ago.

Q When did you break it? A In the spring of the year
after that, when I was trimming a rose vine?

Q In the spring of 1923, do you remember what month?

A I think it was in March.
All right, an

Q ~~What time~~ did you get ~~the~~ other one to replace it?

A No, I used a pair I had myself.

Q Where did you get the pair you had yourself?

A I got them at Stone's Hardware store.

Q So instead of telling your employer you broke a pair, to go buy a new pair, you got your own implements, you had for years?

A She wasn't there.

Q Was there anybody around there? A No sir.

Q No relative or anyone you could go to?

A No.

Q Who paid you? A I got paid at the National Bank.

Q Who was the person who paid you? A Mr. Vookhees

Q If you wanted supplies, who did you get them from?

A I did not get anything.

Q Did not get anything at all, just kept your old garden stuff? A Yes sir.

Q Now, did you throw away this thing you broke?

A No, I left it there, but it was thrown away since.

Q You did not throw it away? A Yes sir.

Q You broke it in March, you say?

A Yes.

MR. PFEIFFER: of what year, Senator?

Q Of what year? A 1923.

Q And it was left there and somebody threw it away?

A Yes sir.

Q And did you work there when Mrs. Hall came home?

A Yes sir.

Q Did you tell her you broke this thing and wanted a new one?

A No sir, I did not think about it.

MR. PFEIFFER: I offer the clipper in evidence

MR. SIMPSON: Of course, they have not any right to offer anything in evidence. This is only a preliminary hearing.

MR. PFEIFFER: I realize we are here at sufferance, Senator.

MR. SIMPSON: However, I will offer it in evidence.

MR. PFEIFFER: Thank you for your courtesy.

(Shears marked Exhibit S-1 of August 18th, 1926)

Q Now I show you another pair of clippers and ask you if these are the pair of clippers that Mrs. Hall had four years ago, and which were used by you for the purpose of clipping grass etc? A Yes sir.

Q Now that is the same pair of clippers you had four years ago? A Exactly so.

MR. SIMPSON: Do you want to put those in?

MR. PFEIFFER: Yes.

MR. SIMPSON: All right, you can mark those.

(Shears marked exhibit S-2 of August 18th 1926)

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Q Now I show you this pair of clippers and is this the pair of clippers Mrs. Hall had four years ago and still has which was used by you?

A Yes sir.

MR. PFEIFFER: Senator, do you offer that?

MR. SIMPSON: Yes, you can put that in. Mark it S, whatever it is?

(Marked Exhibit s-3 of August 18th, 1926)

- MR. PFEIFFER: Do you want ~~xxxx~~ to observe the condition of the shears?

MR. SIMPSON: There is a note among Mr. Beekman's papers, "Look for missing pair of garden shears." found in the Because that note was/hands of the man then in charge of the case, so that nobody will say that I have a note of Mr. Beekman's which I suppressed.

MR. SIMPSON: You take them you can keep them?

MR. PFEIFFER: That is all.

B O G A R T T. C O N K L I N G, duly sworn for the state, for

DIRECT EXAMINATION BY MR. SIMPSON:

Q Sheriff, where do you live? A Somerville.

Q And have you any county office now? A I have not.

Q Were you sheriff of this county on Sept. 14th, 1922?

A I was.